

ORDINANCE/RESOLUTION REQUEST

Please email requests to the Mayor's Legislative Team

at MileHighOrdinance@DenverGov.org by 9 a.m. Friday. Contact the Mayor's Legislative team with questions

Date of Request: March 27, 2025

Please mark one: ☐ Bill Request or ☒ Resolution Request

Please mark one: The request directly impacts developments, projects, contracts, resolutions, or bills that involve property and impact within .5 miles of the South Platte River from Denver's northern to southern boundary? (Check map [HERE](#))

☐ Yes ☒ No

1. Type of Request:

☒ Contract/Grant Agreement ☐ Intergovernmental Agreement (IGA) ☐ Rezoning/Text Amendment

☐ Dedication/Vacation ☐ Appropriation/Supplemental ☐ DRMC Change

☐ Other:

2. **Title:** Approves a concession agreement with InMotion DEN-B, LLC d/b/a InMotion for the greater of either a guaranteed rent/Minimum Annual guarantee (MAG) of \$656,549.00 or percentage rent of gross sales of 11% Apple Products and 19% Non-Apple Products and for nine years to design, build, and manage kiosks on Concourses A Center Core NW quadrant and Concourse C Center Core SE quadrant at Denver International Airport, in Council District 11 (PLANE-202371357).

3. **Requesting Agency:** Denver International Airport

4. Contact Person:

Contact person with knowledge of proposed ordinance/resolution (e.g., subject matter expert)	Contact person for council members or mayor-council
Name: Pamela Dechant, SVP of Concessions	Name: Kevin Forgett, Manager of Legislative Affairs
Email: Pamela.Dechant@flydenver.com	Email: Kevin.Forgett@flydenver.com

5. General description or background of proposed request. Attach executive summary if more space needed:

Denver International Airport (DEN) conducted a competitive Request for Proposal (RFP) selection process for an operator to design, build, and manage a Specialty Retail location in the Center Core of Concourse A and Concourse C. The term for this opportunity is nine (9) years, to allow the concessionaire to amortize their capital investment to build out the 280.2 (ACON) and 303.1 (CCON) square foot kiosk locations. No funding or capital investment is required by DEN, as the space will be turned over as is. DEN conducted outreach events on July 13, August 10, and September 14, 2023, totaling 508 number of attendees for all events. After submittal and evaluation of responsive proposals, the Independent Evaluation panel recommended that InMotion DEN-B LLC dba InMotion be selected for direct negotiations. This project supports Vision 100's goal of "Growing Our Infrastructure" by adding new concession opportunities to meet future passenger demands which will enhance the customer experience and increase non-aeronautical revenue.

6. **City Attorney assigned to this request (if applicable):** Daniel Jaynes

7. **City Council District:** 11

8. ****For all contracts, fill out and submit accompanying Key Contract Terms worksheet****

To be completed by Mayor's Legislative Team:

Resolution/Bill Number: _____

Date Entered: _____

Key Contract Terms

Type of Contract: (e.g. Professional Services > \$500K; IGA/Grant Agreement, Sale or Lease of Real Property): Concession Agreement

Vendor/Contractor Name (including any dba's): InMotion DEN-B, LLC d/b/a InMotion

Contract control number (legacy and new): PLANE-202371357

Location: Denver International Airport

Is this a new contract? ☒ Yes ☐ No **Is this an Amendment?** ☐ Yes ☒ No **If yes, how many?** _____

Contract Term/Duration (for amended contracts, include existing term dates and amended dates):
9 years

Contract Amount (indicate existing amount, amended amount and new contract total):

<i>Current Contract Amount</i> (A)	<i>Additional Funds</i> (B)	<i>Total Contract Amount</i> (A+B)
Initial MAG: \$656,549.00 If concession opens for business on or before the required opening date, DEN will waive Year 1 MAG. Beginning Year 2: 85% of Year 1 Total Compensation paid to DEN 11% Apple Products & 19% Non-Apple Products	N/A	Initial MAG: \$656,549.00 If concession opens for business on or before the required opening date, DEN will waive Year 1 MAG. Beginning Year 2: 85% of Year 1 Total Compensation paid to DEN 11% Apple Products & 19% Non-Apple Products
<i>Current Contract Term</i>	<i>Added Time</i>	<i>New Ending Date</i>
9 Years	N/A	9 years

Scope of work:

InMotion DEN-B, LLC will design, build and manage two InMotion kiosks located in the Center Core of Concourse A and Concourse C. InMotion DEN-B, LLC has committed to investing a minimum of \$1,040,023.90 to design and build this space. To amortize InMotion DEN, LLC., capital investment, they will receive a contract term of nine (9) years. Denver International Airport (DEN) will receive the greater of either a guaranteed rent/Minimum Annual guarantee (MAG) of \$656,549.00 or percentage rent of gross sales; 11% Apple Products & 19% Non-Apple Products. The terms outlined above are what were submitted by InMotion DEN, LLC as part of their proposal to the Request for Proposal (RFP) and were awarded on that information.

Was this contractor selected by competitive process? Yes **If not, why not?**

Has this contractor provided these services to the City before? ☒ Yes ☐ No

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Date Entered: _____

Source of funds: Revenue

Is this contract subject to: ☒ **W/MBE** ☐ **DBE** ☐ **SBEC** ☐ **XO101** ☒ **ACDBE** ☐ **N/A**

WBE/MBE/DBE commitments (construction, design, Airport concession contracts):

27.3% ACDBE / 25% M/WBE

Who are the subcontractors to this contract? InMotion DEN-B, LLC will be utilizing Pastorelle Marketing Group, LLC 28% participation to meet the ACDBE goal. M/WBE firm(s) will be selected by the concessionaire's selected General Contractor, after the execution of the concession agreement and the construction contract. The M/WBE firm(s) are reviewed and approved by DSBO prior to DEN's issuance of Notice to Proceed with construction for the concession location. A Notice to Proceed is provided by DEN to the concessionaire after all applicable documents, such as Bonds, Insurance, Permits, and DSBO approval, have been provided by the concessionaire, and their selected general contractor to begin construction of the concession location.

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